



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,732	11/21/2003	Roy W. Stedman	16356.837 (DC-05599)	3540

27683 7590 04/04/2006

HAYNES AND BOONE, LLP
901 MAIN STREET, SUITE 3100
DALLAS, TX 75202

EXAMINER

DOGAN, ERIN L

ART UNIT	PAPER NUMBER
----------	--------------

2115

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/719,732	Applicant(s) STEDMAN ET AL.	
	Examiner Erin L. Dogan	Art Unit 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-15, 17, 19-25, 27 and 29-31 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 16, 18, 26, and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/21/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/21/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-31 are pending in the application.

Claim Objections

2. Claim 31 is objected to because of the following informalities: In claim 31, line 8, the word command is printed twice. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 7, 9-15, 17, 19-25, 27, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 6,802,010 B1) and Mermeistein (US 6,052,793).

4. For Claims 1 and 11, Kim et al discloses a method of operating an information handling system (IHS) including a remote control and a receiver responsive to the remote control, the method comprising:

receiving, by the receiver of the IHS, a command from the remote control instructing the IHS to enter a reduced power mode;
entering the reduced power mode, by the IHS, in response to the

command (Column 4, lines 3-5, 7, 14-15, 24-28).

Kim et al does not teach that upon loss of power by the IHS and return of power to the IHS, supplying power to a sufficient portion of the IHS to enable the IHS to respond to commands from the remote control.

Mermeistein does teach that upon loss of power by the IHS and return of power to the IHS, supplying power to a sufficient portion of the IHS to enable the IHS to respond to commands from the remote control (Column 2, lines 28-40, 55-65, Column 5, lines 9-12, 19-21). It would have been obvious to one of ordinary skill in the art in the case of a power loss of a remote system to remember the previous state.

It would have been obvious to one of ordinary skill in the art to combine the teachings of Kim et al and Mermeistein because they both deal with the control of power dependant on states and can be controlled from outside/remote sources. Mermeistein covers the deficiency of Kim et al by teaching the details of retaining the power state of a system in the case of a power loss and upon return of power returning to that previous state.

5. For Claims 2, 12, and 22, Kim et al discloses a method and system wherein infrared communications are used to communicate between the remote control and the receiver (Column 4, lines 17-19).

6. For Claims 2, 13, and 23, Kim et al discloses a method and system wherein radio frequency communications are used to communicate between the remote control and the receiver (Column 4, lines 17-19).

7. For Claims 3, 14, and 24, Kim et al discloses a method and system wherein acoustic communications are used to communicate between the remote control and the receiver (Column 4, lines 17-19).

8. For Claims 5, 15, and 25, Kim et al discloses a method and system wherein the receiver is coupled to a peripheral bus of the IHS (Figure 5).

9. For Claims 7, 17, and 27, discloses a method and system wherein the sufficient portion of the IHS includes the peripheral bus.

10. For Claims 9, 19, and 29, Mermeistein discloses a method and system of claim wherein the IHS enters a minimal power on self test (POST) mode when power is lost by the IHS and power returns to the HIS (Column 2, lines 56-57, 61-65, [Inherently, to have a quick bios the POST, must be less/shorter than normal]).

Art Unit: 2115

11. For Claims 10, 20, and 30, Mermeistein discloses a method and system including controlling the minimal POST mode with basic input output system (BIOS) software (Column 2, lines 56-57, 61-65).

12. For Claims 21 and 31, Kim et al discloses an information handling system (IHS) comprising:

- a memory coupled to the processor (Figure 5, [325],[335],[340]),
- glue logic, coupled to the processor, for enabling devices to be coupled to the processor (Figure 5, [325],[335],[345]),
- a receiver, coupled to the glue logic, for receiving commands (Figure 5, [380],[345],[335]),
- a remote control for sending commands to the receiver (Figure 5, [380]), and
- nonvolatile storage, coupled to the glue logic (Figure 5, [340],[335], including control software for causing the IHS to enter a reduced power mode in response to the receiver receiving a command from the remote control (Column 4, lines 3-5, 7, 14-15, 24-28).

Kim et al, does not teach that upon loss of power by the IHS and return of power to the IHS, instructing that power be supplied to a sufficient portion of the IHS to enable the IHS to respond to commands from the remote control.

Mermeister does teach that upon loss of power by the IHS and return of power to the IHS, supplying power to a sufficient portion of the IHS to enable the IHS to respond to commands from the remote control (Column 2, lines 28-40, 55-65, Column 5, lines 9-12, 19-21). It would have been obvious to one of ordinary skill in the art in the case of a power loss of a remote system to remember the previous state.

It would have been obvious to one of ordinary skill in the art to combine the teachings of Kim et al and Mermeister because they both deal with the control of power dependant on states and can be controlled from outside/remote sources. Mermeister covers the deficiency of Kim et al by teaching the details of retaining the power state of a system in the case of a power loss and upon return of power returning to that previous state.

Allowable Subject Matter

13. Claims 6,16,26,8,18, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2115

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin L. Dogan whose telephone number is 571-272-1412. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (571)272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erin Dogan
Patent Examiner
Art Unit 2115



CHUN CAO
PRIMARY EXAMINER